

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Annie M. Snelson-Smith
Debtor(s)

Bankruptcy Case No.: 19-22974-JAD
Issued Per 10/8/2020 Proceeding
Chapter: 13
Docket No.: 76 – 54, 56, 58
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 27, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,328 as of October-2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: October 9, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Annie M. Snelson-Smith
Debtor(s)

Case No. 19-22974-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 09, 2020

User: msch
Form ID: 149

Page 1 of 3
Total Noticed: 38

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 11, 2020:

Recip ID	Recipient Name and Address
db	+ Annie M. Snelson-Smith, 227 Woodridge Drive, Carnegie, PA 15106-1313
cr	+ First National Bank of Pennsylvania, 4140 East State Street, Hermitage, PA 16148-3401
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15094961	AT&T, PO Box 691020, Tulsa, OK 74169-1020
15094962	+ Borough of Greentree, 10 W.. Manilla Avenue, Pittsburgh, PA 15220-3354
15094967	CBNA, PO Box 182789, Sioux Falls, SD 57117
15094965	+ Cavalry Bass & Associates, 3936 E. Ft. Lowell Road, Suite 200, Tucson, AZ 85712-1083
15094970	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, Department Store National Bank/Macy's, Attn: Bankruptcy, 9111 Duke Boulevard, Mason, OH 45040
15094972	+ Enterprise Bank, 4091 Mt Royal Blvd, Allison Park, PA 15101-2917
15094973	+ First National Bank of Pennsylvania, 4140 E. State Street, Hermitage, PA 16148-3401
15191595	+ MidFirst Bank, Bankruptcy Department, 999 NW Grand Boulevard, #110, Oklahoma City, OK 73118-6051
15098658	+ Nelnet obo Educational Credit Management Corp, Educational Credit Management Corp, PO Box 16408, St. Paul MN 55116-0408
15094975	+ Nelnet/Educational Credit Mgmnt, PO Box 16408, Saint Paul, MN 55116-0408
15094978	+ PINGORA LOAN SERVICING LLC, C/O FLAGSTAR BANK FBS - SERVICER, PO BOX 660263, Dallas, TX 75266-0263
15094977	+ Peoples Natural Gas Company LLC, 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15094982	+ TD Bank USA, 2001 Western Avenue, Ste 400, Seattle, WA 98121-3132
15132382	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

TOTAL: 17

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: kburkley@bernsteinlaw.com	Oct 10 2020 01:09:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 10 2020 01:49:49	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: cashiering-administrationservices@flagstar.com	Oct 10 2020 01:09:00	Pingora Loan Servicing, LLC, c/o Flagstar Bank, 5151 Corporate Drive, Troy, MI 48098-2639
15103398	Email/Text: ally@ebn.phinsolutions.com	Oct 10 2020 01:08:00	Ally Financial, PO Box 130424, Roseville MN 55113-0004
15094960	+ Email/Text: ally@ebn.phinsolutions.com	Oct 10 2020 01:08:00	Ally Financial, Attn: Bankruptcy, Po Box 130424, Roseville, MN 55113-0004
15094964	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 10 2020 01:49:47	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15094963	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 10 2020 01:47:51	Capital One, Po Box 30253, Salt Lake City, UT 84130-0253
15094966	+ Email/Text: bankruptcy@cavps.com	Oct 10 2020 01:09:00	Cavalry SPV I LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
15094968	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Oct 10 2020 01:08:00	Comenity Capital Bank/HSN, Attn: Bankruptcy

District/off: 0315-2

User: msch

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			Dept, Po Box 182125, Columbus, OH 43218-2125
15094969	+ Email/Text: bnc-quantum@quantum3group.com	Oct 10 2020 01:08:00	Department Store National Bank/Quantum3, PO Box 657, Kirkland, WA 98083-0657
15131825	Email/Text: bnc-quantum@quantum3group.com	Oct 10 2020 01:08:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
15094971	+ Email/Text: kburkley@bernsteinlaw.com	Oct 10 2020 01:09:00	Duquense Light, c/o Bernstein Burkley PC, 707 Grant St, Ste 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15094974	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 10 2020 01:08:00	Internal Revenue Service, Re: Bankruptcy Filing, P.O. Box 7346, Philadelphia, PA 19101-7346
15094976	+ Email/Text: csc.bankruptcy@amwater.com	Oct 10 2020 01:10:00	PA American Water, P.O. Box 578, Alton, IL 62002-0578
15106837	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 10 2020 01:49:49	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15135539	+ Email/Text: cashiering-administrationservices@flagstar.com	Oct 10 2020 01:09:00	Pingora Loan Servicing, LLC, c/o Flagstar bank FSB, 5151 Corporate Drive, Troy MI 48098-2639
15094979	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 10 2020 01:49:49	Portfolio, Re: Capital One Bank, P.O. Box 12914, Norfolk, VA 23541-0914
15130518	Email/Text: bnc-quantum@quantum3group.com	Oct 10 2020 01:08:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
15094980	+ Email/PDF: gecsed@recoverycorp.com	Oct 10 2020 01:48:46	Synco/Levin Furniture, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15095269	+ Email/PDF: gecsed@recoverycorp.com	Oct 10 2020 01:49:45	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15094981	+ Email/PDF: gecsed@recoverycorp.com	Oct 10 2020 01:49:45	Synchrony Bank/ JC Penneys, Attn: Bankruptcy, Po Box 956060, Orlando, FL 32896-0001

TOTAL: 21

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		MidFirst Bank
cr		MidFirst Bank
15095780	*+	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321

TOTAL: 2 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 11, 2020

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: msch

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Form ID: 149

Total Noticed: 38

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 9, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor MidFirst Bank bnicholas@kmlawgroup.com
Bryan P. Keenan	on behalf of Debtor Annie M. Snelson-Smith keenan662@gmail.com melindap662@gmail.com
Chandra Marie Arkema	on behalf of Creditor Pingora Loan Servicing LLC carkema@squirelaw.com
David W. Raphael	on behalf of Creditor First National Bank of Pennsylvania raphaeld@fnb-corp.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 8